

REMARKS

Applicants have carefully studied the outstanding Official Action. The present response is intended to be fully responsive to all points of rejection raised by the Examiner and is believed to place the application in condition for allowance. Favorable reconsideration and allowance of the application are respectfully requested.

In the application as examined, claims 61-67 are pending. Claims 61 and 67 are currently amended. Claims 62-66 are unchanged. Claims 1-60 have been cancelled without prejudice.

Claims 61-64, 66 and 67 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kochenour (U.S. 4,090,668). Claims 61 and 65 stand rejected on the ground of non-statutory obviousness type double patenting as being unpatentable over claims 10, 12 and 13 of Franco, et al (U.S. 6,164,564) in view of Kochenour (U.S. 4,090,668). Applicants submit herewith a terminal disclaimer in respect of U.S. 6,164,564 to overcome the double patenting rejection.

Applicants express their appreciation to Examiners Trevor McGraw and Dinh Nguyen for the courtesy of an interview which was granted to applicants' representative, Sanford T. Colb (Reg. No. 26,856). The interview was held at the USPTO on March 5, 2008. The substance of the interview is set forth in the Interview Summary.

At the interview, claim 61 was discussed vis-à-vis the prior art of record of Kochenour and Franco. The Interview Summary Record states, in relevant part, "Mr. Colb indicated that a terminal disclaimer would be filed to overcome the applied double patenting rejection and explained how the invention control system operated. Proposed claim language was discussed to distinguish the controller of the present invention over the

prior art of record. An agreement was made (e.g. based on a measured value of a torque of said motor received by said controller) pending an updated search.”

Applicants have accordingly amended claim 61 to include the recitation “a controller operative to control at least one of said at least one spray head and said at least one windshield wiper based on a measured value of a torque of said motor received by said controller.” Similar amendments have been made to claim 67. Support for the amendments to claims 61 and 67 is found in Figs. 10-11F and the description thereof on pages 22-24 of the application as filed, specifically on page 24, lines 13-25. Apparatus for cleaning or de-icing a vehicle window including, inter alia, a controller as recited in amended claim 61 in not shown or suggested by the prior art.

Kochenour describes a windshield washing and deicing system comprising a reservoir for containing washer fluid having a sealed container supported therein including a pump to transfer fluid from the reservoir to the container and from the container to a plurality of nozzles located adjacent a vehicle window. The system of Kochenour includes a conventional motor vehicle, including conventional windshield wipers connected to the drive linkage of a motor for providing reciprocating motion of the wipers across the windshield. (Column 3, lines 15-29)

Applicants respectfully submit that Kochenour does not show or suggest apparatus for cleaning or de-icing a vehicle window including, inter alia, a windshield wiper actuator controller operative to control at least one of a spray head and a windshield wiper based on a measured value of the torque of a windshield wiper actuator motor received by the controller, as recited in amended claim 61 and that amended claim 61 is therefore patentable.

Applicants respectfully submit that Kochenour does not show or suggest a method for cleaning or de-icing a vehicle window, including, inter alia, providing ... a windshield wiper actuator system including a motor which actuates a windshield wiper, and a controller operative to control at least one of at least one spray head and at least one windshield wiper based on a measured value of the torque of the motor received by the controller, as recited in amended claim 67 and that amended claim 67 is therefore patentable.

Claims 62-66 depend from claim 61 and recite additional patentable subject matter and are therefore patentable.

In view of the foregoing remarks, all of the claims are deemed to be allowable. Favorable reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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